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*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

February 25, 2004

WRITER'S DIRECT NUMBER: (202) 772-8637 INTERNET ADDRESS: KARENM@SKGF.COM

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/721,336; Filed: November 26, 2003

Connective Tissue Growth Factor-3

Inventors:

Ebner et al.

Our Ref:

1488.0630003/EKS/KRM

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 2. Listing of the cited documents on Form PTO-1449 (13 sheets);
- 3. First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 4. Listing of the cited document on Form PTO-1449 (1 sheet);
- 5. Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 6. Listing of the cited documents on Form PTO-1449 (1 sheet);
- 7. Third Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- Listing of the cited documents on Form PTO-1449 (2 sheets); 8.
- 9. Fourth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);

Commissioner for Patents February 25, 2004 Page 2

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- 10. Listing of the cited documents on Form PTO-1449 (3 sheets); and
- 11. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

KRM/pcd Encls.

234214v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Ebner et al.

Appl. No. 10/721,336

Filed: November 26, 2003

For: Connective Tissue Growth

Factor - 3

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1488.0630003/EKS/KRM

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of the documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/712,142, filed November 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Kouerl. Marliosowz

Karen R. Markowicz Agent for Applicants Registration No. 36,351

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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Page 1 of 13 APPLICATION NO. ATTY. DOCKET NO. 10/721,336 1488.0630003/EKS/KRM FORM PTO-1449 APPLICANT Ebner et al. MATION DISCLOSURE STATEMENT FILING DATE GROUP November 26, 2003 To Be Assigned U.S. PATENT DOCUMENTS EXAMINER DATE NAME CLASS SUB-INITIAL DOCUMENT FILING DATE NUMBER CLASS AA1 5,408,040 04/18/1995 Grotendorst et al. 530 399 12/14/1993 AΒ AC AD ΑE AF AG AΗ ΑI АJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT DATE COUNTRY CLASS SUB-TRANSLATION NUMBER CLASS Yes EP 0 495 674 AL1 07/22/1992 Europe No A2 Yes WO 96/01896 AM1 01/25/1996 WIPO No Yes AN1 WO 98/58063 12/23/1998 WIPO No Yes A01 WO 99/14327 03/25/1999 WIPO No Yes AP1 WO 99/21998 05/06/1999 WIPO No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Barton, G.J., "Protein sequence alignment and database scanning," in Protein Structure Predication, A Practical Approach, IRL Press at Oxford University Press, Oxford, UK, pp. 31-63 (1996). AR 1 Bork, P., "The modular architecture of a new family of growth regulators related to connective tissue growth factor," FEBS Lett. 327:125-130, Elsevier Science AS Publishers B.V. (1993). Bowie, J.U. et al., "Deciphering the Message in Protein Sequences: Tolerance to AT Amino Acid Substitutions," Science 247:1306-1310, American Association for the 1 Advancement of Science (1990). EXAMINER DATE CONSIDERED

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ATTY. DOCKET NO. APPLICATION NO. 1488.0630003/EKS/KRM 10/721,336 FORM PTO-1449 APPLICANT Ebner et al. INFORMATION DISCLOSURE STATEMENT FILING DATE GROUP November 26, 2003 To Be Assigned U.S. PATENT DOCUMENTS EXAMINER DATE NAME CLASS INITIAL DOCUMENT SUB-FILING DATE NUMBER CLASS AA AB AC AD ΑE AF AG AΗ ΑI АJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER DOCUMENT DATE COUNTRY CLASS SUB-INITIAL TRANSLATION NUMBER CLASS Yes ΑL No Yes ΑM No Yes AN No Yes ΑO No Yes No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) NCBI Entrez, GenBank Accession No. AA754979, from Marra, M. et al. (January, AR <u>13</u> 1998). AS AT EXAMINER DATE CONSIDERED **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw

line through citation if not in conformance and not considered. Include copy of this form with next

communication to Applicant.





In re application of:

Ebner et al.

Appl. No. 10/721,336

Filed: November 26, 2003

For: Connective Tissue Growth

Factor - 3

Art Unit:

To Be Assigned

Examiner:

To Be Assigned

Atty. Docket: 1488.0630003/EKS/KRM

First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed herewith in connection with the above-captioned application. A copy of the document was cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/712,142, filed November 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, a copy of this document is not attached. 37 C.F.R. § 1.98(d).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

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This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karer R. Markos W3

Karen R. Markowicz Agent for Applicants

Registration No. 36,351

Date

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

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In re application of:

Ebner et al.

Appl. No. 10/721,336

Filed: November 26, 2003

For: Connective Tissue Growth

Factor - 3

Art Unit: 7

To Be Assigned

Examiner:

To Be Assigned

Atty. Docket: 1488.0630003/EKS/KRM

Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Copies of the documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/712,142, filed November 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application are related to SEQ ID NOS:1762, 73132, and 196475 in copending U.S. Patent Application Serial No. 09/912,293, and to

SEQ ID NO:46156 in copending U.S. Patent Application Serial No. 09/912,292.

Further, SEQ ID NO:10 of this application is related to SEQ ID NO:196475 in copending U.S. Patent Application Serial No. 09/912,293, and SEQ ID NO:11 of this application is related to SEQ ID NO:46156 in copending U.S. Patent Application Serial No. 09/912,292. Legible copies of those portions of U.S. Patent Application Serial Nos. 09/912,292 and 09/912,293 which caused them to be listed on the attached PTO-1449 were submitted previously as references AS13 and AT13, respectively.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Kaul Mauring

Karen R. Markowicz Agent for Applicants

Registration No. 36,351

Date: $\frac{2}{25}$

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(202) 371-2600

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Ebner et al.

Appl. No. 10/721,336

Filed: November 26, 2003

For: Connective Tissue Growth

Factor - 3

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1488.0630003/EKS/KRM

Third Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Copies of the documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/712,142, filed November 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

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This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

Date: 2 25 04

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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A CONTRACTOR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ebner et al.

Appl. No. 10/721,336

Filed: November 26, 2003

For: Connective Tissue Growth

Factor - 3

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1488.0630003/EKS/KRM

Fourth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Copies of the documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/712,142, filed November 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Kowa R. Mallowioz

Karen R. Markowicz Agent for Applicants

Registration No. 36,351

Date: 225/09

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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ATTY. DOCKET NO. APPLICATION NO. 10/721,336 1488.0630003/EKS/KRM FORM PTO-1449 APPLICANT Ebner et al. FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FILING DATE GROUP November 26, 2003 To Be Assigned U.S. PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT DATE NAME CLASS SUB-FILING DATE NUMBER CLASS AA AB AC ΑD ΑE AF AG AΗ ΑI АJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT DATE COUNTRY CLASS SUB-TRANSLATION NUMBER CLASS Yes No Yes AΜ No Yes AN No Yes ΑO No Yes No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Benjamini, E. and Leskowtiz, S., eds., "Antigenicity," in: Immunology, A Short AR <u> 16</u> Course, Wiley-Liss, New York, NY, pp. 40 (1991) Ngo, T., et al., "Computational Complexity Protein Structure Prediction, and the Levinthal Paradox," in: The Protein Folding Problem and Tertiary Structure AS 16 Prediction, Merz, K. Jr. and Le Grand, S., eds., Springer Verlag, Boston, MA pp. 433 and 492-495 (1994) Sambrook, J., et al., eds., "Analysis and Cloning of Eukaryotic Genomic DNA," in: AΤ <u> 16</u> Molecular Cloning: A Laboratory Manual, Cold Spring Harbor Laboratory Press, Cold Spring Harbor, NY, pp. 9.50 (1989) EXAMINER DATE CONSIDERED EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 3 of 3

ATTY. DOCKET NO. APPLICATION NO. 10/721,336 1488.0630003/EKS/KRM FORM PTO-1449 APPLICANT Ebner et al. FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FILING DATE GROUP November 26, 2003 To Be Assigned U.S. PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT DATE NAME CLASS SUB-FILING DATE NUMBER CLASS AΑ AB AC AD ΑE AF AG AΗ ΑI ΑJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT DATE COUNTRY CLASS SUB-TRANSLATION NUMBER CLASS Yes AL No Yes AΜ No Yes AN No Yes ΑO No Yes No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Zhang, R., et al., "Identification of rCop-1, a New Member if the CCN Protein Family, as a Negative Regulator for Cell Transformation," Molec. Cell. Biol. AR <u>17</u> 18:6131-6141, American Society for Microbiology (October 1998) AS AT EXAMINER DATE CONSIDERED **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next

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communication to Applicant.